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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/520,403	03/08/2000	Aaron Moore	ZEPHA-00-001	1302

530 7590 07/15/2003

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2174

DATE MAILED: 07/15/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Applicati n No.

09/520,403

Applicant(s)

MOORE ET AL.

Examiner

Mylinh T Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on Amendment filed 01/13/03.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-5, 8-15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cecco et al. [US. 6,310,631] in view of Brooks [US. 6,008,809].

As to claims 1, 2 and 9, Cecco et al. shows means for splitting a display window by dragging a mouse from one point in the display to another point in the display (figure 4A, column 5, lines 46-67) and means responsive to said mouse dragging wherein said display divides and forms a separate panel at least one side of a line defined by said mouse dragging (figure 4A, panel 20, column 3-26); means for splitting a display window by defining with a mouse two points in said display, said two points defining a line (figure 4B, panel 20 including two dots, and figure 5A-5C). The difference between Cecco et al. and the claim is displaying dividing and forming a separate display window. Brooks shows the limitation at figure 13-14, column 10, lines 25-60. It would have been obvious to one of ordinary skill in the art, having the teachings of Cecco and Brooks before

them at the time the invention was made to modify the mouse splitter program taught by Cecco to include the method of dividing a window into multiple ones of Brooks, with the motivation being to make efficient way for the user to always see clearly information displaying in two windows simultaneously without overlapping as taught by Brooks.

As to claim 3, Cecco et al. also discloses receiving a set of coordinates relative to said display window from a user, said coordinates defining a line and dividing said display window into a plurality of panes, said panes defined by said line and said frame borders (figure 5A-5C, column 6, lines 19-25).

As to claim 4, Cecco et al. teaches the line intersects opposing borders of said display window (figure 5A, the common border of panel 8 and 9).

As to claim 5, Cecco et al. also teaches the coordinates are provided by a user via a pointing device (column 5, lines 13-26).

As to claims 8, 10 and 13-15, Cecco teaches receiving a set of coordinates relative to the display window, the coordinates defining a line transecting two or more panes of the plurality of panes and dividing each of the two or more panes each into two additional panes, each of the additional panes having a segment of the transecting line as a common edge (figure 3, (13, 14, 15, 16) column 5, lines 2-26).

As to claim 11, Cecco also teaches the cursor movement is carried out using one of a mouse, touch screen, touch pad or light pen (column 5, lines 13-20).

As to claim 12, Cecco shows the cursor movement is carried out using one of a joystick, pointing stick, or stylus and tablet (column 5, lines 5-6).

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 6-7 are rejected under 35 U.S.C. 103(a) as being unpatentable over Cecco et al. [US. 6,310,631] in view of Brooks [US. 6,008,809] and further in view of Lebling [US. 6,141,007].

As to claim 6, the difference between Cecco et al., Brooks and the claim is a scrollable list box associated with each of the plurality of panes. Lebling shows the limitation at (figure 7A, column 10, lines 30-65). Lebling discloses providing a scrollable list box associated with each of the plurality of panes, each list box containing one or more display options for display in the associated pane; and selecting by the user one of the display options for display for each of the panes; and displaying within each of the panes a visual display associated with the display option selected for each of the panes (figure 7A, column 10, lines 30-65). It would have been obvious to one of ordinary skill in the art, having the teachings of Cecco, Brooks and Lebling before them at the time the invention

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was made to modify the mouse splitter program and the method of dividing a window into multiple ones taught by Cecco and Brooks to include the scrollable list box associated with each of the plurality of panes of Lebling, with the motivation being to make it possible for the user to view different parts of the document simultaneously as taught by Lebling.

As to claim 7, Lebling also discloses one or more of the list boxes including graphical representations of the display options for display (column 1, lines 10-30).

### ***Response to Arguments***

Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238, may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-4395 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

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Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran

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